

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**INDICTMENT FOR VIOLATIONS OF THE FEDERAL
CONTROLLED SUBSTANCES ACT**

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO.

v.

*

SECTION:

SEAN DEAN
MICHAEL DOWNS

*

VIOLATIONS: 21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(B)
21 U.S.C. § 846(b)(1)(C)
21 U.S.C. § 846
18 U.S.C. § 2

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The Grand Jury charges that:

COUNT 1

Beginning on a date unknown and continuing until on or about May 30, 2008, in the Eastern District of Louisiana, the defendants, **SEAN DEAN** and **MICHAEL DOWNS**, did knowingly and intentionally combine, conspire, confederate and agree with each other, and with other persons known and unknown to the Grand Jury, to distribute and possess with the intent to distribute 100 grams or more of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B); all in violation of Title 21, United States Code, Section 846.

COUNT 2

On or about May 20, 2008, in the Eastern District of Louisiana, the defendants, **SEAN DEAN** and **MICHAEL DOWNS**, did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 3

On or about May 30, 2008, in the Eastern District of Louisiana, the defendants, **SEAN DEAN** and **MICHAEL DOWNS**, did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 4

On or about May 30, 2008, in the Eastern District of Louisiana, the defendant, **SEAN DEAN**, did knowingly and intentionally possess with intent to distribute 100 grams or more of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1, 2, 3 and 4 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.
2. As a result of the offenses alleged in Counts 1, 2, 3 and 4 the defendants, **SEAN DEAN** and **MICHAEL DOWNS**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1, 2, 3 and 4 of this Indictment.
3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendants:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON



JIM LETTEN

United States Attorney
La. Bar Roll No. 8517



JAN MASELLI MANN

First Assistant United States Attorney
La. Bar Roll No. 9020



SEAN TOOMEY

Assistant United States Attorney

New Orleans, Louisiana
June 5, 2008